S.B. Criminal Misc. Bail Application No.3763/2006

Date : 29.08.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. Firoz Khan for the applicant.

Mr. V. R. Mehta, Public Prosecutor.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that no investigation is to be made from the accused-applicant and the offence is triable by the Magistrate. He further submits that the applicant is in jail , therefore, during the trial, he may be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicant Babu Lal son of Ghorka Ram shall be released on bail in FIR No.323/2006 P.S. Balotara, provided he executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

vijayant